

EXHIBIT F

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN E. LAVIN,

Plaintiff,

-against-

Case No.
09-CIV-8610
(CM)

BRIEFLY STATED, INC. and BRIEFLY
STATED, INC. PROFIT SHARING PLAN,

Defendants.

- - - - -X

April 6, 2010
10:11 a.m.

ORIGINAL

Deposition of DAVID WEINSTOCK, taken
by Plaintiff, pursuant to Subpoena, held at the
offices of Cohen, Weiss and Simon LLP, 330 West 42nd
Street, New York, New York, before Ann Brunetti, a
Shorthand Reporter and Notary Public within and for
the State of New York.

1 D. Weinstock

2 letter says, "According to your instructions, we have
3 allocated \$544,511 of forfeitures to the appropriate
4 participants"; do you see that?

5 A Yes.

6 Q What's that a reference to?

7 A It's in reference to an allocation
8 that was made for the 2006 plan year to the eligible
9 participants in the profit sharing plan which was
10 formerly the Briefly Stated ESOP.

11 Q And was that an allocation of forfeiture
12 money?

13 A Yes.

14 Q Are you an actuary?

15 A Yes.

16 Q How long have you been an actuary?

17 A 25 to 30 years.

18 Q And do you have experience with profit
19 sharing plans?

20 A Yes.

21 Q In the sentence above the sentence I just
22 quoted, it says, "There is no contribution made for the
23 January 1, 2006 through December 31, 2006 plan year";
24 do you see that?

25 A Yes.